

## REMARKS

Reconsideration of this application is requested.

*Claims 1, 3, 4, 5, 6, 7, 8, 9 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Duenkel (US 5,561,931).*

*A. With respect to Claims 1 and 9, Duenkel discloses an apparatus comprising a central vertical column assembly 2 having linear actuator means 99 for incrementally extending its length; a plurality of flexible members 5 attached to the central column; and, a footing assembly 1 pivotally attached horizontally to the central vertical column (column 6, line 61 column 7, line 5).*

*B. With respect to Claim 3, Duenkel discloses that the means for incrementally extending further comprises extension members 37.*

*C. With respect to Claim 4, Duenkel discloses that the flexible members further comprise extension members 4.*

*D. With respect to Claims 5, 7 and 8, Duenkel discloses that the footing assembly further comprises a plurality of extending feet 17.*

*E. With respect to Claim 6, Duenkel discloses that the footing assembly further comprises bracing means 30 connected between the footing assembly and the vertical column.*

*F. With respect to Claim 10, Duenkel discloses that the footing assembly further comprises a means 31, 34 for substantially equalizing a load exerted on the feet along the length of the footing assembly.*

As amended claims 1-10 now distinguish over the cited reference of Duenkel in that Duenkel does not teach or claim each and every element of applicant's claim. Namely a pressure actuator means, a means for connecting the flexible members to a container under test or a footing having means for substantially equalizing a force exerted by the pressure actuator across structural members of a container under test.

New claims 24-26 further define the invention and its capability.

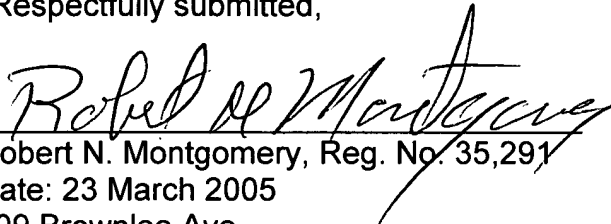
Inasmuch as each of the rejections have been overcome by the amendment to the claims and through arguments relating thereto, and all of the examiner's suggestions and

requirements have been satisfied, it is respectfully requested that the rejections be withdrawn and that this application be passed to issue.

Should the examiner feel that a telephone conference would advance this application, he is encouraged to contact the undersigned at the telephone number listed below.

Please contact the submitter if any fees are due.

Respectfully submitted,



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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal service as First Class Mail in an envelope addressed to: Commissioner of Patents and Trademarks, P.O. Box 1450 Alexandria, VA 22313-1450 on 3-28-2005.



Robert N. Montgomery,